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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/006,977	12/04/2001	Yasuhiro Tani	NMCIP027	1816
22434	7590	06/03/2005	EXAMINER	
BEYER WEAVER & THOMAS LLP			ELEY, TIMOTHY V	
P.O. BOX 70250			ART UNIT	
OAKLAND, CA 94612-0250			PAPER NUMBER	
			3724	

DATE MAILED: 06/03/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary	Application No. 10/006,977	Applicant(s) TANI ET AL.	
	Examiner Timothy V Eley	Art Unit 3724	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 May 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 4 and 5 is/are pending in the application.
- 4a) Of the above claim(s) 4 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

2. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Towery et al(6,270,395) in view of Ronay(5,876,490).

- Towery et al disclose a method of using a polishing agent comprising abrasive particles and a lapping plate to polish a target object; the method comprising the steps of; supplying a specified amount of the polishing agent between the lapping plate and the target object to be polished; the lapping plate having an inherently flat and "smooth" surface with a diameter greater than that of the target object; and causing the lapping plate to rotate at a specified rotational speed so as to move relative to the target object while keeping the lapping plate practically in contact with the target object while a lapping process is carried out on the target object. See abstract and figure 2.
- Towery does not disclose that the abrasive particles are mother particles which are spherical polymers, and abrading particles on surfaces of the mother particles. However, Towery et al does disclose mother particles with abrading particles on the mother particles as broadly recited by applicant, since in a slurry at some point in time, the abrasive particles will be in contact

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with each other and therefore constitute mother particles on abrading particles.

- Ronay discloses abrasive particles constitute mother particles which are spherical polymers, and abrading particles on surfaces of the mother particles(as broadly recited by applicant), since the particles are used in a slurry, and in a slurry at some point in time, the abrasive particles will be in contact with each other and therefore constitute mother particles on abrading particles. See column 7, lines 59-end to column 8, lines 1-5.

Response to Arguments

3. Applicant's arguments filed June 04, 2004 have been fully considered but they are not persuasive.

- Applicant argues that Towery discloses a lapping plate having a polishing pad or a polishing cloth, and applicant supplies slurry directly to the lapping plate and not a polishing pad or cloth.
 - o A polishing pad or cloth is a "lapping plate". Only specific structure distinguishes between the different lapping plates. However, applicant's broad recitations of "flat" and "smooth" are seen to be met by Towery et al, since inherently a polishing pad or cloth that does not contain an abrasive therein is relatively "smooth".

Conclusion

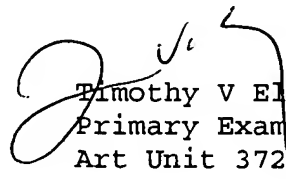
4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Timothy V Eley

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whose telephone number is 571-272-4506. The examiner can normally be reached on M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Allan N Shoap can be reached on 571-272-4514. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Timothy V Eley
Primary Examiner
Art Unit 3724

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